



Public Service Commission of Wisconsin

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FACT SHEET

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PSC Process to Review Proposed Forward Energy Wind Project

WHAT IS THE WIND PROJECT PROPOSAL?

Forward Energy LLC (Forward) has filed an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission of Wisconsin (PSC). Forward is proposing to construct a 200 megawatt wind electric generation facility called the Forward Project (project). Forward would construct, own and operate the project which would operate 24 hours a day, 7 days a week.

WHO IS PROPOSING THE PROJECT?

Forward Energy LLC is a subsidiary of Invenergy Wind LLC which is headquartered in Chicago, Illinois. Invenergy has in excess of 25 projects totaling more than 2,500 megawatts of new wind energy generation in active development in the United States and Canada.

WHERE WILL THE PROJECT BE LOCATED AND HOW BIG IS IT?

The proposed project would be located in a project area of 32,400 acres consisting predominately of farmland near Brownsville, within the towns of Byron, Leroy, Lomira and Oakfield. These towns are located in Fond du Lac and Dodge Counties.

Forward Energy is asking to construct and operate between 70 and 135 wind turbines that would have an operating capacity up to 200 megawatts. One megawatt can generate electricity for 500 residences. Wisconsin has nearly 53 megawatts of wind power capacity with another 215 megawatts expected to be operating in 2005. If approved, this project would increase Wisconsin's wind power capacity to almost 415 megawatts.

Each turbine site would occupy less than a quarter of an acre. The generators would be connected to the existing electric transmission system at a new electrical substation. The new substation would be constructed and owned by the American Transmission Company.

This project is considered a merchant power plant under Wisconsin law so the PSC does not review the economic factors of the project like it would for a utility.

WHO WILL GET TO USE THE POWER PRODUCED FROM THE PROJECT?

The project would produce up to 200 megawatts of electricity which would be sold directly to Wisconsin utilities under Power Purchase Agreements.

Based on the information provided by the applicant, Wisconsin Public Service Corporation, Madison Gas and Electric Company and Wisconsin Public Power Inc. have each signed agreements to purchase power from the project as listed below:

Wisconsin Public Service Corporation	70 megawatts
Madison Gas and Electric	40 megawatts
Wisconsin Public Power Inc.	40 megawatts

Wisconsin's Renewable Portfolio Standard Law requires state utilities to have a portion of their retail electric sales come from renewable energy sources until they reach 2.2% by 2011. The energy produced from the project would qualify as a renewable resource to help utilities meet the standard.

WHAT IS THE PUBLIC SERVICE COMMISSION'S ROLE?

Forward Energy cannot begin construction on the project without Commission approval. The Commission will review the application of Certificate of Public Convenience and Necessity (CPCN) to determine if the project is in the best interest of Wisconsin consumers. In addition, Forward must gain any necessary permits from the Wisconsin Department of Natural Resources (DNR).

This application will be reviewed by the PSC and DNR simultaneously as established under 2003 Wisconsin Act 89. This new streamlined regulatory review process cuts the time for review nearly in half, while maintaining the same high standards for examining an application.

The CPCN statutory process requires the Commission to consider specific issues and follow a specific timeline in making a decision on the application. State law requires a decision on a CPCN within 180 days once the application has been deemed complete, although the court may grant up to an additional 180 days if needed for complex applications.

Following are the steps in the CPCN process:

- **Completeness:** The 180 day timeline starts after the PSC and the DNR determine the application is complete. The 180 day review period began January 19, 2005 for this project.
- **Draft Environmental Impact Statement:** The PSC and the DNR develop a draft environmental impact statement analyzing all aspects of the proposal, including costs, environmental impacts and community impacts. This includes sound levels, aesthetics, bird studies, lighting and water use. The draft environmental impact statement will be issued this spring and distributed to the public for a 45-day comment period.
- **Final Environmental Impact Statement:** Comments on the draft environmental impact statement are considered by the PSC in preparing the final environmental impact statement. At least 30 days after the release of the final environmental impact statement, the PSC holds public and technical hearings.

- **Public Hearing:** A public hearing will be held in the project area this summer. Citizens will be able to provide their views about the project. All testimony at the hearing becomes part of the record used by the Commission in making its decision. The PSC will notify the local newspapers with the public hearing location and time. The Department of Natural Resources (DNR) will hold separate public hearings on the permits required to construct the facility. The DNR will notify the local newspapers about its hearings.

After the PSC public hearing, the parties in the case will file briefs with the Commission outlining their arguments in the case. Once the full record in the case has been compiled, the application will go to the Commission for review.

HOW DOES THE COMMISSION REACH ITS DECISION?

The Commission has the authority to approve, modify or deny a proposal. However, the decision must be based only on the information in the record and follow statutory guidelines.

Chairperson Burnie Bridge, Commissioner Robert Garvin and Commissioner Mark Meyer will review the full record to reach a decision that they feel is in the best interest of Wisconsin citizens. The Commission discusses the record during an opening meeting and makes an initial decision, which is then spelled out in a written order issued at a later date. The date of the open meeting on this case has not been set.

If the CPCN is granted, the written order will list any conditions that Forward Energy must follow to construct the project. The parties have 30 days to ask the Commission to reconsider any of the issues in its written order.

ARE OTHER AGENCIES REVIEWING THE PROJECT?

The Wisconsin Department of Natural Resources, State Historical Society of Wisconsin, U.S. Fish and Wildlife Service and the Army Corps of Engineers are also involved in the reviewing the application. The Federal Aviation Administration and the Wisconsin Department of Transportation would determine the lighting needed for aviation safety.

HOW DO I FIND MORE INFORMATION ABOUT THE PROJECT?

All documents in the case will be filed electronically and can be found on the PSC website at psc.wi.gov. Click on "ERF System" located on the left side of the home page. Click on "[Search Electronic Document Repository](#)," enter the docket number 9300-CE-100 and click on "GO." You may then select any of the documents filed electronically in the case.